

## UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States Courts  
Southern District of Texas  
FILED

January 21, 2022

Nathan Ochsner, Clerk of Court

United States of America

v.

David Paul Craig

Case No.

4:22-mj-129

Defendant(s)

## CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 9, 2021 in the county of Harris in the  
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 2252A(a)(2) and (b)(1) Distribution of Child Pornography.

This criminal complaint is based on these facts:

See attached Affidavit.

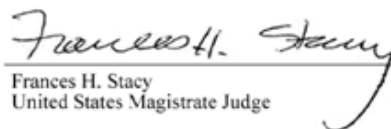
☒ Continued on the attached sheet.

Complainant's signature

Robert J. Guerra, FBI Special Agent

Printed name and title

Sworn to before me telephonically.

Date: January 21, 2022City and state: Houston, Texas  
Frances H. Stacy  
United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT AND ARREST WARRANT**

I, Robert Guerra, a Special Agent (SA) with the Federal Bureau of Investigation (FBI) being duly sworn, depose and state as follows:

1. I have been employed as a Special Agent (“SA”) of the FBI, since November 2005, and am currently assigned to the Houston Division. As part of my duties as a Special Agent, I am assigned to investigate violations of federal law, including the online exploitation of children. This includes violations pertaining to the illegal possession, receipt, transmission, and production of material depicting the sexual exploitation of minors.

2. I am submitting this affidavit in support of a Criminal Complaint and arrest warrant for **David Craig**. I submit there is probable cause to believe that, in the Southern District of Texas, beginning at least in or about February 2021, and continuing through at least in or about November 2021, **David Craig** knowingly violated 18 U.S.C. § 2252A(a)(2) and (b)(1) which prohibits a person from knowingly distributing using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, any child pornography, as defined in 18 U.S.C. § 2256(8), or attempting or conspiring to do so.

3. Here, I submit there is probable cause to believe that **David Craig** violated 18 U.S.C. § 2252A(a)(2) and (b)(1) because, as described more fully below, **David Craig** was an active member of a website (hereinafter referred to as “TARGET WEBSITE”) operating over a network that was designed to facilitate anonymous communication over the internet—TOR<sup>1</sup>—and that facilitated (and indeed was dedicated to) the advertisement and distribution of child pornography and he posted links of child pornography files on TARGET WEBSITE, along with descriptions that allowed used others of TARGET WEBSITE to determine the general content of the links, that were likewise available for download.

4. The statements contained in this affidavit are based in part on information provided by FBI Special Agents; written reports about this and other investigations that I have received, directly or indirectly, from other law enforcement agents, including foreign law enforcement agencies; information gathered from the service of administrative subpoenas; the results of physical and electronic surveillance conducted by law enforcement agents; independent

---

<sup>1</sup> The Tor network is a computer network available to Internet users that is designed specifically to facilitate anonymous communication over the Internet.

investigation and analysis by FBI agents and computer forensic professionals; and my experience, training and background as a Special Agent with the FBI. Since this affidavit is being submitted for the purpose of securing a Criminal Complaint and arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause to believe **David Craig** has committed criminal acts in violation of 18 U.S.C. § 2252A(a)(1) and (b)(1).

#### **BACKGROUND OF TARGET WEBSITE**

5. The TARGET WEBSITE is an online chat website that operates over the Tor network. Users regularly use the website to advertise and distribute child pornography, as defined in 18 U.S.C. § 2256(8)(a). The website launched in approximately 2017-2018. The site allows users to engage in online chat with other users, either within a single publicly accessible chat room, or multiple “Members Only” chat rooms only accessible to particular users, or in one-to-one chats between two users. Child pornography images and videos are trafficked via the posting of web links within chat messages. Links allow a user to navigate to another website, such as a file-hosting website, where images and/or videos were stored in order to download these images and videos.

6. FBI Special Agents accessed and downloaded child pornography files in an undercover capacity using computers located in the District of Maryland via links that were posted on TARGET WEBSITE.

#### **SUBJECT USER’S ACTIVITY ON TARGET WEBSITE**

7. On or about April 1, 2021, an FBI Online Covert Employee (hereinafter referred to as “OCE”) entered a “Members Only” chat room (hereinafter referred to as “MEMBERS ONLY 1”) and documented that, from on or about October 4, 2020, to on or about January 20, 2021, a user acting under a specific alias (hereinafter referred to as “SUBJECT USER”) shared 21 videos, the majority of which your affiant believes meet the statutory definition of child pornography. OCE-1 was not able to download the videos themselves because the files were no longer available. Each post did, however, still contain an image preview, consisting of a collage of 20 to 30 frames from each video. Below are some examples of the SUBJECT USER’s posts to MEMBERS ONLY 1, which OCE-1 collected on or about April 1, 2020:

- a. On or about October 4, 2020, SUBJECT USER posted a link to a video tagged in the post as [preteen] [boy] [bathing] with the comment “*This is an interesting video*

*that starts with a nude boy on the side of a Jacuzzi tub talking to dad and getting sprayed with water. Eventually, the boy stands and gets into the water for a bit before dad joins him. Dad has friendly hands that feels the boy's smooth bottom and sexy parts until the boy leaves to pee. When the video pics up again, the boy is sitting on, and sliding down dad's boner."* The preview depicted a fully nude prepubescent male, approximately between seven and nine years of age, in a Jacuzzi tub with a fully nude adult male. The central focus of the image is the prepubescent male's penis. In two of the frames the adult male is manually manipulating the prepubescent male's penis. The prepubescent male has young facial and bodily features and no noticeable pubic hair.

- b. On or about December 30, 2020, SUBJECT USER posted a link to a video tagged [preteen] [girls] [compilation] with the comment *"Starts out with a little girl getting some anal from a pretty small dick, and while the vaginas get smaller, the dicks get a little bigger during the rest of the video. Lots of young pussy spreading for the camera and some toy penetration too."* The preview depicts a fully nude prepubescent female estimated to between seven and nine years of age. An adult male inserts his penis into the girl's vagina in multiple frames. In one frame the adult male is inserting a long plastic object into the girl's vagina and in another the girl is on her back with the camera focused on her anus. The girl has young facial and bodily features. She also has no noticeable breast development or pubic hair.
- c. On or about November 14, 2020, SUBJECT USER posted a link to a video tagged [crying] [baby] [girl] [sucking] with the comment *"mom says "...come on baby, suck daddy's cock." Its forced feeding, but in a good way."* The preview depicted a clothed infant estimated to be approximately five months of age. An adult male is holding the infant up in a sitting position with his hand on the back of the baby's head while inserting his erect penis into the baby's mouth.

8. On or about November 11, 2021, OCE entered MEMBERS ONLY 1 and documented the following posts by SUBJECT USER:

- a. On or about November 9, 2021, SUBJECT USER posted a link to an image tagged [tween] [girl] [cumshot] with the comment *"my idea of a perfect kiddie meal."* The image depicted what appeared to be a fully-nude prepubescent female, estimated to



be between eight and ten years of age, laying down on a bed. An adult male is straddling the female holding his erect penis above her. The adult male appears to have ejaculated on the female's chest and neck area. Only the male's hand, thigh and penis are visible, while the female is visible from the waist up. The female has no noticeable breast development and has young facial and bodily features.

- b. On or about November 9, 2021, SUBJECT USER posted a link to an image tagged [toddler] [boy] [cumshot] with the comment "[@user] stepped out, but I think this is a fine kiddie meal." The image depicted a prepubescent child estimated to be between the ages of eighteen months to three years old. The child is sitting down with an adult male's erect penis inserted into the child's mouth. The adult male appears to have ejaculated on the child's face. It is difficult to state with certainty whether the child is a male or female, as it is clothed and wearing a diaper.
- c. On or about November 11, 2021, SUBJECT USER posted a link to an image tagged [hebe] [girl] [posing] with the comment "*Bottomless girl reading a magazine...I like it.*" The image depicted a prepubescent female, nude from the waist down, estimated to be between the ages of nine and eleven years old. The female is sitting on a bed with her legs spread wide exposing her vagina, which is prominently displayed and a central focus of the image. The female has no noticeable breast development or pubic hair and she has young bodily and facial features.

#### **IDENTIFICATION OF THE SUBJECT USER AS DAVID CRAIG**

9. The SUBJECT USER used a tor network based Instant Messaging Service (hereinafter referred to as "IMS"). OCE communicated with the SUBJECT USER using the IMS on multiple occasions after exchanging IMS credentials.

10. In March 2021, a foreign law enforcement agency known to the FBI and with a history of providing reliable, accurate information, reported to the FBI that, through investigation and techniques used pursuant to its own national laws, on January 17, 2021, from 20:43 UTC to 21:38 UTC the SUBJECT USER's IMS account was being used from a device with the IP address 162.197.103.109.

11. According to publicly available information, AT&T owned IP address 162.197.103.109 on or about January 17, 2021. On or about March 10, 2021, FBI issued an administrative subpoena to AT&T for subscriber information associated with IP address

162.197.103.109. In response, AT&T produced records showing that, on January 17, 2021, from 20:43 to 21:38 UTC, the IP address 162.197.103.109 was assigned to 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027, **David Craig's** residence. AT&T also provided the following subscriber information associated with that IP address:

**Account Number:** 256629654

**Account Address:** 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027

**Associated Customer Name:** David Craig

**Contact Number:** (303) 725-XXXX

**Email:** acoloradobubba@hotmail.com

12. On March 23, 2021, the U.S. District Court for the District of Maryland authorized the installation and use of a pen register/trap and trace device ("PRTT") to record, decode and/or capture all dialing, routing, addressing and signaling information associated with each communication to or from the AT&T residential internet account associated with 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027. I am aware from my training and experience that the review of data collected pursuant to such an order can identify information associated with incoming and outgoing electronic communications, and that it is a reliable method to determine whether the internet service account has received particular incoming or outgoing electronic communications. The FBI began receiving data from the PRTT on March 24, 2021. A review of that data showed that a user of the residential internet account at the 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027, accessed the Tor network on March 30, 2021, and March 31, 2021. A second PRTT order was signed on May 21, 2021, and expired on July 21, 2021. It was issued to the service provider, AT&T on May 24, 2021, and the FBI began to again receive data on May 24, 2021. A review of that data showed that a user of the residential internet account at 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027, accessed the Tor network on June 25, 2021, and July 15, 2021. After SUBJECT USER reappeared on TARGET WEBSITE on or about October 24, 2021, the U.S. District Court for the District of Maryland authorized a third PRTT order on October 27, 2021. It was issued to AT&T on October 28, 2021, and the FBI began to again receive data on November 2, 2021. A review of that data from the third PRTT showed that a user of the residential internet account registered to 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027, accessed the Tor network on at least 10 separate days between on or about November 3, 2021, and November 23, 2021.

13. On March 29, 2021, the SUBJECT USER contacted OCE on the IMS and



provided his IMS address with the message “*Hello! It’s [SUBJECT USER].*” After receiving SUBJECT USER’s IMS address, the FBI sent non-textual electronic communications to SUBJECT USER’s IMS account in an identifiable pattern. Analysis of data from the PRTT on the internet service account associated with the 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027, located this exact same pattern within the data of the non-textual electronic communications FBI sent to SUBJECT USER’s IMS account. Accordingly, SUBJECT USER’s IMS account was then confirmed as being used from a computer using the internet account at the 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027.

14. A review of publicly available records listed **David Paul Craig**, date of birth: May 14, 1961, social security number: 462-02-7299, as a resident of 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027.

15. On January 20, 2022, the FBI executed a search warrant authorized by this Court (Case Number 4:22-mj-112) on 3333 Wesleyan Street, Apartment 1126, Houston, Texas 77027. During the execution of the search warrant, child pornography was located on a laptop that David Craig admitted was his. This included:

- a. An image depicting a prepubescent female, estimated to be between the ages of six and nine, sitting with her legs spread. The female’s vagina and anus are prominently exposed for the camera and she is inserting an object into her vagina;
- b. An image depicting a prepubescent male, estimated to be between the ages of six and eight with his legs raised up around his head. The male’s anus and scrotum are prominently displayed for the camera; and
- c. An image depicting a male toddler with an adult male’s erect penis inserted into his mouth. The penis and the toddler’s mouth appeared to be covered in semen. The toddler is wearing a diaper.

16. **David Craig** was interviewed after being advised of his rights. **Craig** admitted to being SUBJECT USER on TARGET WEBSITE. **Craig** admitted to maintaining a large collection of child pornography on the aforementioned laptop in his residence that included prepubescent males and females engaging in sexual acts with adults. **Craig** admitted to distributing child pornography as SUBJECT USER on TARGET WEBSITE. **Craig** stated his age of attraction was from 10 to 14 years of age but he shared child pornography images and files of children that were much younger. **Craig** stated that SUBJECT USER’s user name was password

protected and that anything posed on TARGET WEBSITE was posted by him.

**CONCLUSION**

17. For these reasons, your Affiant respectfully submits that there is probable cause to believe **David Craig** committed violations of 18 U.S.C. § 2252A(a)(2) and (b)(1) in the Southern District of Texas. I therefore respectfully request that the Court authorize a Criminal Complaint and Arrest Warrant for **David Craig**.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert J. Guerra", is written over a horizontal line.

Robert J. Guerra  
Special Agent  
Federal Bureau of Investigation

The above-named agent provided a sworn statement attesting to the truth of the foregoing Affidavit submitted to me by reliable electronic means pursuant to Fed. R. Crim. Proc. 4.1(a) on this 21st day of January, 2022 and I find probable cause.

A handwritten signature in black ink, appearing to read "Frances H. Stacy", is written over a horizontal line.  
Frances H. Stacy  
United States Magistrate Judge